

## **Draft Rules of Procedure for the 5<sup>th</sup> PES Congress, 7-8 May 2001, Berlin**

### **Introduction**

These rules of procedure, adopted by the Bureau on 30 March 2001, are proposed to the Congress in accordance with Article 23 of the PES Statutes.

*NB. These rules are based on the Statutes currently in force, last amended by the 1999 Congress in Milan. They do not prejudge any amendments tabled by the Bureau to the Congress and adopted by the Congress itself.*

### **Composition of the Congress**

#### **Rule 1**

The number of delegates to the Congress, elected in accordance with Article 12 of the PES Statutes, is set out in Annex 1 (delegates with voting rights) and Annex 2 (other delegates).

The list of representatives of other parties or organisations invited to the Congress in accordance with Article 13 of the PES Statutes is to be found in Annex 3.

#### **Rule 2**

In accordance with Article 33 member parties of the PES are not entitled to vote unless they have paid their annual affiliation fee.

### **Powers of the Congress**

#### **Rule 3**

In accordance with Article 10 of the PES Statutes the Congress is the supreme organ of the Party.

#### **Rule 4**

In accordance with Article 10.3 of the PES Statutes full member parties, associate member parties and the Parliamentary Group of the PES may present proposals to, and speak of these before, the Congress.

The Bureau may invite special guests to address the Congress.

### **Conduct of the Congress**

#### **Rule 5**

In accordance with Article 23 of the PES Statutes the organisation of the Congress, which shall be co-ordinated by the Secretary General, is the responsibility of the Bureau.

#### **Rule 6**

The Chair(s) of the Congress shall be elected by a simple majority of the Congress based on a proposal from the Bureau.

#### **Rule 7**

The Congress proceedings shall be managed by a Congress Steering Committee, which shall be elected by a simple majority of the Congress, based on a proposal from the Bureau. The Steering Committee shall recommend to the Congress the procedures for decision-making debates and votes. These recommendations require a simple majority.

#### **Rule 8**

The Congress shall elect, by a simple majority and based on a proposal from the Bureau, 4 Scrutineers.

## **Decisions and votes by the Congress**

### **Rule 9**

In accordance with Article 8 of the PES Statutes the quorum for votes requires 75% of the full member parties to be present.

A request for a quorum to be established must be made by 25% of full member parties. If the quorum is not present the Chair shall not announce the result of the vote but shall declare that the quorum is not present.

### **Rule 10**

In accordance with Article 8 of the PES Statutes political decisions shall in principle be taken on the basis of consensus. Decisions regarding policy areas subject to majority voting within the Council of the European Union can be taken on the basis of a qualified majority. A qualified majority is based on more than 75% of the votes cast. A simple majority is 50% of the votes cast plus 1. Votes are cast per member party. \*

*\* Here the Bureau is asked to decide whether votes are cast en bloc per party or whether party delegations will be allowed to split their votes.*

If a proposal does not achieve the necessary consensus, the Chair shall refer the proposal to the Bureau to allow a consensus to be sought. Where a consensus can not be found and where a political decision is subject to majority voting as defined above, the Bureau can recommend that the Congress vote requiring a qualified majority.

### **Rule 11**

In accordance with Article 8.4 of the PES Statutes a full member party may declare that it is not bound by a decision taken by qualified majority provided it indicates this intention before the vote is taken.

### **Rule 12**

Rules concerning the voting procedure;

- (1) Amendment and adoption of the Statutes of the Party: by a qualified majority on a proposal from the Bureau
- (2) Decisions on the admission and status of affiliated parties and organisations of the Party: by a qualified majority on a proposal from the Bureau
- (3) Election of the President of the Party: by a qualified majority on the basis of a unanimous proposal from the Bureau
- (4) Adoption of resolutions and recommendations to parties, the Bureau and the Parliamentary Group: in accordance with rules 10 and 11 of these Rules of Procedure.
- (5) Delivering an opinion on the report of activities of the Party for the preceding period and the programme of activities for the future submitted to it by the Bureau: by a simple majority
- (6) Delivering an opinion on the report of activities submitted by the Parliamentary Group of the PES in the European Parliament: by a simple majority

### **Rule 13**

Amendments shall have priority over the text to which they relate and shall be put to the vote before the text. If two or more exclusive amendments have been tabled to the same part of a text, the amendment that departs furthest from the original text shall have priority and shall be put to the vote first. If it is adopted the other amendments shall stand rejected. If it is rejected, the amendment next in priority shall be put to the vote and similarly for each of the remaining amendments.

### **Rule 14**

In accordance with Article 8.9 votes are cast per party.

For votes requiring a simple majority the Chair of the session shall call for a show of hands. If the result is unclear the Chair shall call for votes to be cast per party by ballot.

For votes requiring a qualified majority votes shall be cast per party by ballot.

Votes for individual candidates shall be cast per party by secret ballot.

**Rule 15**

The Chair shall declare a vote open and closed. Once the vote has been declared open no one except the Chair shall be allowed to speak until the vote is closed.

The Chair shall decide whether the result is valid.

**Procedural Motions**

**Rule 16**

Any delegate may be allowed to speak to draw the Chair's attention to any failure to respect the Congress Rules of Procedure (Point of order). The delegate shall first specify to which rule s/he is referring.

A request to raise a point of order shall take precedence over all other requests to speak. Speaking time shall be one minute. The Chair shall take an immediate decision on a point of order and shall announce that decision once a point of order has been raised.

**Rule 17**

25% of the full member parties may request a referral back of a proposal to the Bureau when the Congress agenda is fixed, or before the start of a debate, or a final vote.

A request may be made only once at each of these three procedural stages.

Following a request for referral back the Congress shall vote. A simple majority is required for a referral back.

**Conclusion**

**Rule 18**

The documents of the Congress shall be published and shall be communicated to the members of the PES, the Parliamentary Group and the Socialist International.